

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4183

IN THE MATTER OF:

Served October 8, 1993

Application of TLC TRANSPORTATION)
SERVICES, INC., for a Certificate)
of Authority -- Irregular Route)
Operations)

Case No. AP-93-29

By application filed October 6, 1993, TLC Transportation Services, Inc. (TLC or applicant), seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

TLC's application includes information regarding, among other things, its corporate status, facilities, proposed tariff, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

TLC's proposed tariff contains special operations rates for Medicaid passengers. TLC proposes to commence those operations with one van. The application states that TLC's van has a seating capacity of 16 persons. This is inconsistent with TLC's application for a certificate restricting vehicle seating capacity to 15 or fewer persons, including the driver. TLC will be directed to amend its application by filing either a revised vehicle list describing only vehicles seating 15 or fewer persons, including the driver, or a request for authority unrestricted as to vehicle seating capacity.

Mr. Cedric Poku-Dankwah, a director and shareholder of TLC, is listed in the Commission's records as having been a lessor of vehicles to Carrier No. 210¹, as well as its treasurer and secretary. Under the circumstances, it is appropriate that TLC be directed to file an affidavit stating that Mr. Poku-Dankwah has terminated all control relationships² with Carrier No. 210.

In determining whether to grant or deny an application for a certificate of authority, the Compact at Title II, Article XI, Section 7 requires that the Commission determine whether an applicant is fit, willing, and able to perform the transportation properly and

¹Order No. 4182, served October 7, 1993, conditionally granted an application in Case No. AP-93-28 to change the name on Certificate No. 210 from Metromed Systems, Inc., to Safe Transportation, Inc.

² Washington Express, Inc., t/a Nation's Bus & Tour, No. AP-92-18, Order No. 3977 (July 23, 1992).

conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and whether the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of TLC's application for a certificate of authority.

THEREFORE, IT IS ORDERED:

1. That TLC Transportation Services, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District, no later than Tuesday, October 19, 1993, notice in the form prescribed by the staff of the Commission.

2. That TLC Transportation Services, Inc., shall file with the Commission, no later than Tuesday, November 9, 1993, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

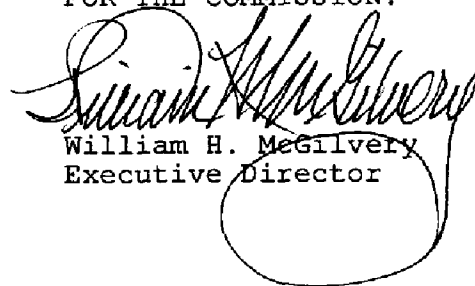
3. That TLC Transportation Services, Inc., shall file with the Commission, no later than Tuesday, October 19, 1993, an original and four copies of either a revised vehicle list describing only vehicles seating 15 or fewer persons, including the driver, or a request for authority unrestricted as to vehicle seating capacity.

4. That TLC Transportation Services, Inc., shall file with the Commission, no later than Tuesday, October 19, 1993, an original and four copies of an affidavit stating that Mr. Poku-Dankwah has terminated all control relationships with Carrier No. 210.

5. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on the application, in accordance with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Tuesday, November 9, 1993, and shall simultaneously serve a copy of such protest or comment on applicant's representative, Mr. William Ayenson, President, TLC Transportation Services, Inc., P.O. Box 43257, Washington, DC 20010.

6. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than Tuesday, November 9, 1993, and shall simultaneously serve a copy of such request on applicant's representative, Mr. William Ayenson, President, TLC Transportation Services, Inc., P.O. Box 43257, Washington, DC 20010.

FOR THE COMMISSION:


William H. McGilvery
Executive Director